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RUEKJCS/JOINT STAFF WASHINGTON DC  
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C O N F I D E N T I A L BOGOTA 001826

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TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [PTER](#) [ELAB](#) [CO](#)  
SUBJECT: MAY HUMAN RIGHTS UPDATE

REF: A. BOGOTA 803  
[1](#)B. BOGOTA 1047  
[1](#)C. 08 BOGOTA 2774

Classified By: Acting Political Counselor David M. Zimov  
Reasons: 1.4 (b) and (d)

#### SUMMARY

[1](#)1. (C) Local United Nations High Commissioner for Human Rights (UNHCHR) Deputy Director Javier Hernandez told us extrajudicial killings by security forces fell 50% from 2007 to 2008. He said UNHCHR does not consider Defense Ministry Directive 29 to have been a factor in "false positive" cases, noting that reports of "false positives" dropped sharply after last October's expulsion of 27 officers and soldiers. The Prosecutor General's office (Fiscalia) won the conviction of four soldiers and ordered the arrest of 37 individuals in "false positive" prosecutions. The Fiscalia made progress in high-profile para-political, paramilitary, and FARC human rights cases. Human Rights groups report "social cleansing" pamphlets in 24 cities have created a "climate of fear," though Police are not aware of incidents connected to the pamphlets. End Summary

#### FALSE POSITIVES DECLINING

[1](#)2. (C) Javier Hernandez, Deputy Director of the United Nations High Commissioner for Human Rights (UNHCHR) Office, told us that UNHCHR data showed a 50% drop in reported extrajudicial killings from 2007 to 2008. He said extrajudicial killings, including "false positives"--cases in which members of the Colombian military murdered civilians and later reported them as combat kills--were on the decline. UNHCHR reported 397 killings in 2007 and 193 in 2008. Hernandez said UNHCHR did not yet have figures for 2009, but highlighted that there had been a "dramatic drop" in cases since the October 2008 public dismissal of 27 soldiers. He confirmed UNHCHR concluded that Directive 29--a Ministry of Defense Directive that allows for financial awards for information leading to the capture or killing of high-value targets from the FARC and other illegal armed groups (REF A)--likely did not/not play any role in the "false positive" killings.

#### Extrajudicial Killings Reported to UNHCHR:

Year	2003	2004	2005	2006	2007	2008
Cases	161	185	195	328	397	193

## FISCALIA LAUNCHES CASES

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¶3. (U) The Fiscalía has issued preventive detention orders for 65 military personnel, including three colonels, in conjunction with the alleged 2007-2008 extrajudicial killings of eleven men from the Soacha region of south Bogota. Colonel Jose Gabriel Castrillon Garcia was arrested for the February 2004 Acandi (Choco) murders of four men from Sucre. Seven soldiers were arrested for the 2005 San Javier, Medellin murder of a minor. Civilians Jose Transito Lucumi and Victoria Montenegro Sandoval--the alleged recruiters of five men from Popayan (Cauca), who were reported as combat kills in Cordoba in September 2007--were arrested.

## AND WINS CONVICTIONS

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¶4. (U) Soldier Francisco Luis Escobar Calderon was sentenced to 58 years in prison and three co-conspirators--all from the Alta Montana Battalion of the First Brigade--were sentenced to 45 years for the August 2007 murder of Luis Sandoval Perez in Chita (Boyaca). Two officers and four soldiers of the Monteria Gaula were each convicted to 28 years of prison for the March 5, 2006 murders of two men outside of Monteria (Cordoba); the victims were lured from Caucasia (Antioquia) with the promise of work.

¶5. (C) The Military Criminal Justice system transferred a record number of cases to the Fiscalía in 2008. Still, Human Rights Program Director Carlos Franco told us the military may be backsliding, as acting Military Criminal Justice system head, Colonel Carlos Avila, has reportedly made efforts to safeguard military personnel from prosecution. Three hundred cases involving approximately 550 victims reportedly remain in the military system and have not been transferred to the civilian legal system. Threats against military judges, civilian prosecutors, judges, and witnesses remain a concern. A key witness against retired Sergeant Luis Eduardo Mahecha Hernandez (charged in the murder of Jose Orlando Giraldo) was killed on May 10, days after the trial began.

## UPDATE ON OTHER HUMAN RIGHTS CASES

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¶6. (U) Former Administrative Department of Security (DAS) Director Jorge Noguera has been charged as a co-author in four homicide cases. Noguera allegedly shared intelligence information with former paramilitaries who murdered the victims. Of the four individuals murdered, three were union leaders. The Fiscalía is investigating Colonel Jorge Alberto Amor Paez, former commander of the Palace Battalion of the Third Division in Valle de Cauca, for his involvement the October 2001 paramilitary assassinations of 24 people in La Alaska and La Habana (Buga, Valle de Cauca). As part of the Justice and Peace Law process, three former AUC leaders -- including Herbert Veloza ("HH") -- have testified that Amor facilitated the AUC Calima Bloque's entry into the area.

¶7. (U) Former FARC leader Raul Agudelo Medina ("Olivo Saldana") pled guilty to the April 2001 FARC attack on Rio Blanco (Tolima) that left 28 people dead. Rodrigo Perez Alzate ("Julian Bolivar"), former commander of the AUC Bloque Central Bolivar, pled guilty to the December 8, 2003 killing of Frank Denison Castrillon Casas in Antioquia. Earlier in 2009, Perez confessed that his men were responsible for 12 murders of union members from 2001 to 2005. Two former-paramilitary fighters, Guillermo Hurtado Moreno ("70") and Wilson Rivera Hernandez were convicted of the October 2000 murders of four men and two boys in Barrancabermeja (Santander). Both were sentenced to 28 years in prison.

## PAMPHLETS INCITE "CLIMATE OF FEAR"

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¶8. (SBU) Threatening pamphlets calling for "social cleansing" of criminals, drug users, prostitutes, and gays were distributed in 24 major cities (Ref B). Pamphlets in Bogota threatened employees of the Human Rights Ombudsman Office (Defensoria), calling them "snitches" and "targets."

Though no documented cases of criminal activity have resulted from the pamphlets, Alberto Yepes of Coordinacion Colombia Europa Estados Unidos (CCEEU) and other NGO leaders told us the pamphlets have created a "climate of fear." Threats against the Bogota-based Lesbian, Gay, Bisexual, and Transgender (LGBT) radio station "Radio Diversa" caused management to reduce operations and broadcast from a secret location.

#### INCREASED VIOLENCE IN CATATUMBO

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¶9. (U) Citing increasing violence in the region, Ombudsman Volmar Perez Ortiz called for increased security in Catatumbo (Norte de Santander). The FARC's 33rd Front stopped an ambulance on May 18, murdered the patient (who was being treated for a gunshot wound), and threatened the medical staff. The National Liberation Army (ELN) killed four policemen and wounded a 17 year old civilian the same day in an ELN minefield in Catatumbo. Armed groups threatened five mayors and four council members in the region.

#### LAND REPARATIONS PAID TO INDIGENOUS GROUP

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¶10. (U) The Ministry of Justice and Interior (MOIJ) turned over an additional 482 hectares of land to the indigenous Paez community (REF C) in response to the 1991 massacre of 20 people at a farm in Nilo (Cauca). Viceminister of Interior Viviana Manrique told us the GOC has thus far distributed 13,128 hectares to the Paez, and expects the total to reach 15,663 hectares.

#### INDIGENOUS LEADER KILLED

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¶11. (U) Robert de Jesus Guacheta, deputy Governor of the Honduras Indigenous reserve (Cauca), was shot and killed May 18. Guacheta was known for his tough stance against coca production and private sector investment. There are no known suspects or motives.

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